

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Mail Processing Network
Rationalization Service Changes, 2012

Docket No. N2012-1

OBJECTION OF THE PUBLIC REPRESENTATIVE TO
INTERROGATORY OF THE UNITED STATES POSTAL SERVICE TO
PUBLIC REPRESENTATIVE WITNESS NEELS (USPS/PR-T1-1)

(May 31, 2012)

On May 22, 2012, the Postal Service promulgated eight interrogatories on Public Representative Witness Neels (PR-T-1).¹ Pursuant to rule 3001.26, the Public Representative objects to interrogatory USPS/PR-T1-1 on the grounds of relevance and the work product doctrine.

The interrogatory states, verbatim:

USPS/PR-T1-1. Please provide a copy of the contract and statement of work pursuant to which you prepared your testimony, together with any amendments or updates relating to your appearance in this docket.

No part of the contract between the Public Representative and Dr. Kevin Neels is likely to lead to admissible evidence. The contents of the contract itself are beyond the scope of this proceeding, and unrelated to the evidence put forward by Dr. Neels. The contract with Dr. Neels includes, in the statement of work, impressions and a description of the scope and direction of the testimony formed by the Public Representative attorney, disclosure of which would violate the work product doctrine. The statement of work in the contract does not identify facts or data provided for Dr. Neels, nor does the

¹ United States Postal Service Interrogatories to Public Representative Witness Neels, PR-T-1 USPS/PR-T1—1-8, May 22, 2012.

contract identify assumptions that the Public Representative provided and Dr. Neels relied upon in forming his opinions. The statement of work is purely a description of proposed areas of concentration, prepared in anticipation of litigation in this case.

The Public Representative stands ready to offer the Presiding Officer an in camera inspection of the contract to verify the contents of the scope of work, but objects to providing the contract to the Postal Service on the grounds of relevance and the work product doctrine.

Respectfully Submitted,

/s/ Christopher J. Laver

Public Representative for
Docket No. N2012-1

901 New York Ave, N.W. STE 200
Washington, DC 20268-0001
(202) 789-6889; Fax (202) 789-6891
christopher.laver@prc.gov